

EXHIBIT A

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David W. Slayton,
Executive Officer/Clerk of Court,
By G. Cordon, Deputy Clerk

**SUPERIOR COURT FOR THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

David Clark, (See additional parties list
with plaintiffs attached)

Plaintiffs,

vs.

WHALECO, Inc., d/b/a TEMU; PDD
Holdings, Inc., f/k/a PINDUODOU Inc.;
and DOES 1-100, inclusive,

Defendants.

CASE NO. 25STCV08592

**[UNLIMITED] COMPLAINT FOR
DAMAGES**

**1. VIOLATION OF THE
ELECTRONIC COMMUNICATIONS
PRIVACY ACT OF 1986 (ECPA);
2. VIOLATION OF THE COMPUTER
FRAUD AND ABUSE ACT;
3. VIOLATION OF THE CALIFORNIA
COMPREHENSIVE DATA ACCESS
AND FRAUD ACT ("CDAFA");
4. VIOLATION OF THE CALIFORNIA
INVASION OF PRIVACY ACT;
5. VIOLATION OF THE CALIFORNIA
UNFAIR COMPETITION LAW;
6. VIOLATION OF THE CALIFORNIA
FALSE ADVERTISING LAW;
7. VIOLATION OF THE RIGHT OF
PRIVACY UNDER THE CALIFORNIA
CONSTITUTION;
8. INTRUSION UPON SECLUSION**

DEMAND FOR JURY TRIAL

Plaintiffs David Clark, (See additional parties list with plaintiffs attached) (collectively
"Plaintiffs"), bring this complaint based upon on information and belief, by and through
undersigned counsel, against Whaleco Inc. d/b/a Temu ("Temu"), and PDD Holdings Inc.
f/k/a Pinduoduo Inc. (collectively, "Defendants").

1 **JURISDICTION AND VENUE**

2 1. This Court has subject matter jurisdiction over this action pursuant to Article
3 VI, section 10 of the California Constitution and Code of Civil Procedure section 410.10

4 2. This Court has personal jurisdiction over Defendants. Defendants are a
5 corporation or other business entity authorized to conduct and does conduct business in the
6 Stat of California. Defendants advertise and sells products in California, and conducts
7 sufficient business with sufficient minimum contacts in California, and/or otherwise
8 intentionally avails itself of the California market through its promotion, sales, distribution,
9 and marketing within this State to render the exercise of jurisdiction by this Court permissible.

10 3. Venue is proper in this county in accordance with Section 395(a) of the
11 California Code of Civil Procedure because the alleged wrongs occurred in the county. Venue
12 is also proper in this county because it was the county where at least one Plaintiff resides.

13 **NATURE OF ACTION**

14 4. In 2022, Defendants launched an online shopping platform, Temu, in the
15 United States. The Temu mobile app and website (the “Temu platform” or “Temu app”), is
16 purported to be an online shopping platform that allows users to purchase low-cost goods
17 manufactured in China. However, the Temu app is actually dangerous malware,
18 surreptitiously granting itself access to virtually all data on a user’s cell phone.

19 5. Specifically, Temu is purposefully designed to gain unrestricted access to a
20 user’s phone operating system, including, but not limited to, a user’s camera, specific
21 location, contacts, text messages, documents, biometric information and other applications.
22 Temu is designed to make this expansive access undetected, even by sophisticated users.

23 6. Once installed, Temu can recompile itself and change properties, including
24 overriding the data privacy settings users believe they have in place. Even users without the
25 Temu app are subject to Temu’s gross overreach if any of their information is on the phone of
26 a Temu user. Temu monetizes this unauthorized collection of data by selling it to third parties.

27 7. This action arises out of Defendants’ violations of the Electronic
28 Communications Privacy Act of 1986 (ECPA), 18 U.S.C. §§ 2510-2523 and California
Consumer Privacy Act of 2018 (CCPA), Cal. Civ. Code § 1798.100.

PARTIES

8. Plaintiff David Clark, an individual and citizen of the State of California, County of Los Angeles. Plaintiff downloaded the Temu App and used/shopped on the App and/or platform, thereby subjecting Plaintiff to personal and private data misappropriation by defendant.

9. Additional Plaintiffs listed on ATTACHMENT A, are individuals and citizens of the United States of America. Plaintiffs downloaded the Temu App and used/shopped on the app and/or platform, thereby subjecting Plaintiffs to personal and private data misappropriation by defendant.

10. Whaleco Inc. d/b/a Temu (“Temu”) is, and at all relevant times was, a corporation incorporated in Delaware and headquarter in Boston, Massachusetts. Temu is an online marketplace operated by the Chinese e-commerce company PDD Holdings Inc.

11. PDD Holdings Inc. f/k/a Pinduoduo Inc., is a company that was founded in China in 2015 under the name Pinduoduo. It owns and operates a portfolio of businesses and is listed on the Nasdaq exchange in the United States. Among other things, PDD Holdings Inc., operates the Pinduoduo e-commerce platform that offers products in various categories, including agricultural produce, apparel, shoes, bags, mother and childcare products, food and beverage, electronic appliances, furniture and household goods, cosmetics and other personal care, sports and fitness items and auto accessories. It also owns the company that operates the Temu online marketplace. PDD Holdings Inc. was formerly known as Pinduoduo Inc., with headquarters in Shanghai, China. PDD Holdings Inc. claims that in February 2023, it moved its “principal executive offices” from Shanghai, China to Dublin, Ireland. However, it continues to have significant operations in China, with multiple subsidiaries located within China. PDD Holdings Inc. is registered in the Cayman Islands.

12. Defendants do not function as separate and independent corporate entities. Defendant Temu is directly controlled by Defendant PDD Holdings Inc. At all relevant times, Defendant PDD Holdings Inc. has directed the operations of Defendant Temu with respect to the Temu App, and Defendant Temu has reported to Defendant PDD Holdings Inc. Employees from Defendant PDD Holdings Inc. performed work on the Temu App, including software engineers who previously developed the Pinduoduo App for PDD Holdings Inc.

1 Defendant PDD Holdings Inc. makes key strategy decisions for Defendant Temu, which was
2 charged with executing such decisions.

3 13. Defendants DOES 1 through 100, inclusive, are other possible Defendants
4 responsible for the wrongful conduct alleged herein. The true names and capacities of
5 Defendants named herein as DOES 1 through 100, inclusive, whether individual, corporate,
6 associate, or otherwise, are unknown to Plaintiffs, who therefore sue such Defendants by such
7 fictitious names pursuant to California Code of Civil Procedure § 474. Plaintiffs are informed
8 and believe that the DOE Defendants are California residents. Plaintiffs will amend their
9 Complaint to show true names and capacities when they have been determined. Plaintiffs are
10 informed and believe, and on the basis of such information and belief allege, that each
11 Defendant DOE herein is in some manner responsible for the discrimination, harassment, and
12 retaliation against Plaintiffs due to their protected reporting activities, and damages herein
13 alleged.

14 14. Plaintiffs are informed and believe and thereon allege that each Defendant is,
15 and at all times mentioned was, the agent, employee or representative of each other
16 Defendant. Each Defendant, in doing the acts, or in omitting to act as alleged in this
17 Complaint, was acting within the scope of his or her actual or apparent authority, or the
18 alleged acts and omissions of each Defendant as an agent were subsequently ratified and
19 adopted by each other Defendant as a principal.

20 **FACTUAL ALLEGATIONS**

21 15. Founded in 2015, PDD Holdings is one of China's largest companies,
22 generating billions in total value of goods sold. Among other business activities, PDD
23 Holdings operates Pinduoduo, (the "Pinduoduo platform" or "Pinduoduo App") an e-
24 commerce App created in China that offers various consumer products.

25 16. Defendant PDD Holdings Inc. subsequently developed a second online retail
26 App, and in 2022 launched the Temu App in the United States.

27 17. The Temu App provides a marketplace for Chinese suppliers to offer their
28 products. However, the Temu App also handles delivery, promotion, and after-sales services
for merchants on its platform.

18 18. The Temu App was based on the Pinduoduo App, and many of the same
software engineers who developed Pinduoduo also worked on what became the Temu App.

1 19. The Temu App/platform became available to consumers in the United States in
2 late 2022.

3 20. Since that time, Defendants have heavily promoted the Temu App throughout
4 the United States, through television advertisements, large online ad campaigns, and
5 sponsorships.

6 21. As a result of their efforts, by 2023, the Temu App was the most downloaded
7 App In the United States amassing millions of U.S. users.

8 22. Analysts have found that Temu App, specifically, uses the allure of
9 inexpensive Chinese-manufactured goods to entice users into unknowingly providing
10 unwarranted and extensive access to their private data through deceptive methods.

11 **A. Concerns Arise Regarding Security of The Temu App/Platform**

12 23. In early to mid-2023, the Temu App and/or platform, along with the popular
13 social media app TikTok was identified as one of the Chinese-affiliated App that poses a
14 significant threat to users' data and privacy.

15 24. Concerns also began to emerge after Temu's precursor platform, the
16 Pinduoduo App, was pulled from the Defendants' Play Store due to the presence of malware
17 that exploited vulnerabilities in Android operating systems. Analysts, including experts for the
18 Defendants, concluded that the Pinduoduo App was covertly collecting private and personal
19 data from users without their knowledge and consent.

20 25. In mid-2023, Apple suspended the Temu App from the Apple Store based on
21 the same data privacy concerns. Apple concluded that Temu made misrepresentations
22 regarding the types of data Temu can access and collect from users. Reports indicated that
23 Apple had expressed concerns regarding the Temu App, stating that it did not comply with
24 Apple's data privacy standards and that Temu was misleading users about how their data is
25 utilized.

26 26. Such concerns have also been expressed recently by government authorities
27 who have examined the App. For example, the State of Montana recently banned the Temu
28 App on government devices, along with other Chinese Apps that have engaged in data privacy
violations, such as TikTok.

1 27. In January of 2024, the Arkansas Attorney General sued Temu for deceiving
2 Arkansans and illegally accessing their personal information and data.

3 28. Likewise, U.S. authorities have also raised concerns regarding Temu's data
4 practices.

5 29. In April 2023, the U.S.-China Economic and Security Review Commission, a
6 government entity established by Congress to investigate, assess, and report annually on the
7 national security implications of the economic relationship between the United States and the
8 People's Republic of China, issued a report noting the significant data risks associated
9 specifically with the Temu App.

10 30. Subsequently, technical analysts have determined that the Temu App is
11 deemed even more "malicious" than the suspended Pinduoduo App, noting that Temu's data
12 collection scope is extensive, surpassing what is necessary for the functioning of an online
13 shopping app.

14 31. According to one commentator, aside from Bluetooth and Wi-Fi access, "Temu
15 gains full access to all your contacts, calendars, and photo albums, plus all your social media
16 accounts, chats, and texts. In other words, literally everything on your phone.... No shopping
17 app needs this much control, especially one tied to Communist China."

18 **B. Temu Violates Users Data Privacy Rights in Multiple Ways.**

19 1. **The Scope of Data Collected**

20 32. First, analysts have observed that the scope of the data collected by Temu is
21 sweeping and goes well beyond the scope of the data that is needed to run an online shopping
22 app.

23 33. In addition to Bluetooth and Wi-Fi access, "Temu gains full access to all your
24 contacts, calendars, and photo albums, plus all your social media accounts, chats, and texts. In
25 other words, literally everything on your phone.."

26 34. Additionally, it is alleged that the Temu App "bypasses" phone security
27 systems to read a user's private messages, make changes to the phone's settings and track
28 notifications.

35. In September of 2023, one technical investigation of the app published by an
analyst firm, concluded that the "TEMU app is purposefully and intentionally loaded with

1 tools to execute virulent and dangerous malware and spyware activities on user devices which
2 have downloaded and installed the TEMU app.”¹

3 36. The analysis went so far as to claim that Defendant PDD Holdings was a
4 “fraudulent company” and that “its shopping app TEMU is cleverly hidden spyware that poses
5 an urgent security threat to U.S. national interests.”

6 37. Among the primary findings of the report were the following:

- 7 a. “The app has hidden functions that allow for extensive data exfiltration
8 unbeknown to users, potentially giving bad actors full access to almost all
9 data on customers’ mobile devices.”
10 b. “Great efforts were taken to intentionally hide the malicious intent and
11 intrusiveness of the software.”
12 c. “We engaged numerous independent data security experts to decompile and
13 analyze TEMU app’s code, integrated with experts of our own staff, and
14 analysts who have written independently in the public domain.”
15 d. “Contributing to the danger of mass data exfiltration is the fast uptake rate
16 of the TEMU app: over 100 million app downloads in the last 9 months, all
17 in U.S. and Europe. TEMU is not offered in China.”
18 e. “The TEMU app development team includes 100 engineers who built the
19 Pinduoduo app, which earned a suspension from the Defendants Play
20 Store.”
21 f. “Pinduoduo app got reinstated by removing the ‘bad parts,’ some of which
22 were identically utilized as components of the TEMU app, strongly
23 indicating malicious intent.”
24 g. “We strongly suspect that TEMU is already, or intends to, illegally sell
25 stolen data from Western country customers to sustain a business model
26 that is otherwise doomed for failure.”

27 38. Additionally, the analysis concluded that the Temu App contains malware,
28 spyware, and other means to “plunder” user data: “TEMU has laid an extensive software

¹ See “We believe PDD is a Dying Fraudulent Company and its Shopping App TEMU is Cleverly Hidden Spyware that Poses an Urgent Security Threat to U.S. National Interests” found at: <https://grizzlyreports.com/we-believe-pdd-is-a-dying-fraudulent-company-and-its-shopping-app-temu-is-cleverly-hidden-spyware-that-poses-an-urgent-security-threat-to-u-s-national-interests/>

1 foundation to recklessly plunder its customers' data. Our staff analysis, verified by numerous
2 expert confirmations, both proprietary experts we hired, plus those independently published in
3 the public domain, find malware, spyware, and several levels of exceptionally threatening
4 software behavior.”

5 39. The analysis further found that the Temu App has the capability to hack users'
6 phones and override data privacy settings that users have purposely set to prevent their data
7 from being accessed.

8 40. Technical analysis of the Temu App found “all the signs of red-flag concern,”
9 noting that “[t]he calls to outside device data and functions that violate users' privacy are far
10 more aggressive than any well-known consumer shopping app.”

11 41. Further analysis found “a stack of software functions that are completely
12 inappropriate to and dangerous in this type of software.”

13 42. For example, the “TEMU app is referencing systems data outside the bounds of
14 TEMU's own app. TEMU seemingly reads the user's system logs. This gives TEMU the
15 ability to track user actions with other apps running on the user's device.”

16 43. It is believed that the Temu App also collects identifying information unique to
17 a user's device. Specifically, “TEMU asks for the MAC address, and other device
18 information, and inserts it into a JSON object to be sent to the server.”

19 44. The Temu App also has the capability to take screenshots of users' phones and
20 store those to a file.

21 45. The Temu also has the ability to read and transmit files on the user's system
22 “with little or no encryption.”

23 46. The Temu can access users' cameras and microphones whenever the app is
24 running, such a function provides a means by which the Temu App can surreptitiously collect
25 user biometric data and information such as video, facial image, and voiceprint data.

26 47. Many of the categories of data and information collected by Defendants are
27 particularly sensitive. For example, in addition to highly sensitive biometric information
28 discussed below, Defendants also collect physical and digital location tracking data that is
highly invasive of Temu users' privacy rights. “Location data is among the most sensitive
personal information that a user can share with a company . . . Today, modern smartphones
can reveal location data beyond a mere street address. The technology is sophisticated enough

1 to identify on which floor of a building the device is located.” Over time, location data reveals
2 private living patterns of Temu users, including where they work, where they reside, where
3 they go to school, and when they are at each of these locations. Location data, either standing
4 alone, or combined with other information, exposes deeply private and personal information
5 about Temu users’ health, religion, politics and intimate relationships.

6 48. The Temu data collection begins as soon as the app is downloaded. As reported
7 in a recent technical report: “‘TEMU sends a lot of detailed user and system data elements as
8 soon as the app is loaded.’ The user’s system gets queried in detail, so all that information is
9 available to send to TEMU servers. (As noted above, this includes the device’s unique MAC
10 address.) No user permission is required to gather any of this category of information.” Temu
11 contains “a complete arsenal of tools to exfiltrate virtually all the private data on a user’s
12 device and perform nearly any malign action upon command trigger from a remote server.”

13 49. Additionally, individuals who are not Temu users and have never signed up for
14 the platform may also be adversely impacted. Unbeknownst to them, non-users who engage in
15 electronic communications with Temu users, such as through email or text messages, may
16 have their private communications subject to harvesting by Defendants who have broad
17 access to Temu users’ devices.

18 **2. The Surreptitious Nature of The Apps Data Mining.**

19 50. The Temu App contains technology (encrypt, decrypt or shift integer signals)
20 that obscures the source code and system calls so that intrusive and dangerous calls are harder
21 to detect when an app store or others perform security scans. In addition, the Temu App
22 contains a runtime.exec() function that allows Temu to get compiled code onto the user’s
23 system at runtime that has not been seen by any security detection scans. These features alone
24 demonstrate that the Temu App is purposefully designed to be “very virulent
25 malware/spyware.”

26 51. Issues uncovered with the app “occur in parts of the code that are proprietary,
27 obscured, and/or from a code library rarely used, poorly programmed by a niche company.”
28 This is inconsistent with common practice and appears to be designed to obscure the
dangerous features of the app so that they will not be disclosed to the public and will avoid
scrutiny by the app stores that provide the app to the public.

1 52. For example, a technical analysis found a “package compile” function that was
2 “not visible to security scans before or during installation of the app, or even with elaborate
3 penetration testing.” As a result, “TEMU’s app could have passed all the tests for approval
4 into the Defendants’ Play Store, despite having an open door built in for an unbounded use of
5 exploitative methods.”

6 53. In addition, the Temu App seeks to obscure the permissions that are given to
7 the app to access information on users’ phones. “[M]any of these permissions in TEMU’s
8 source code are not listed in their Android Manifest file, which is the standardized overview
9 source for an app.”

10 54. The Temu App deceptively requests permissions in ways that do not clearly
11 inform users that they are providing certain permissions to the App. Accordingly, because the
12 Temu App “masks its intentions” by using such deceptive means, “You wouldn’t suspect that
13 the TEMU app contains a full stack of malware/spyware tools to do just about anything it
14 wants with your phone and get nearly anything stored on it sent to its own servers in the
15 background.”

16 55. The Temu App also contains functions to alert the App if a debugger is
17 engaged. Such a feature is likely incorporated into the App “to obstruct or obscure analysis of
18 the app, and most likely to change app behavior if an analyst is inspecting it dynamically.”

19 **3. Temu Subjects User Data To Misappropriation By Chinese Authorities.**

20 56. The data privacy violations documented with the Temu App are particularly
21 concerning not only because they subject user data to unauthorized collection and potential
22 sale to third parties, but also because Temu’s parent is a China-based company that is subject
23 to Chinese law that requires companies to provide user data to the government upon request.
24 As a technical analysis of the Temu App has noted, “Your personal data – much more than
25 you ever assumed – is resold indiscriminately for marketing purposes, and in all probability
26 available to Chinese Security authorities for data mining purposes. Chinese Government
27 security agents or their AI computers might be looking at what products you or your family
28 buy on TEMU as a source of leverage, influence, manipulation, ‘cross-border remote justice’,
surveillance, or more.”

1 57. As experts and government authorities have repeatedly observed, under
2 applicable law, user data owned by Chinese companies is available on command to officials
3 of the Chinese communist government. The Chinese government’s ongoing efforts to acquire
4 such private user data from American citizens—both legally and illegally—are well
5 documented.

6 58. As U.S. Senators have explained, “Security experts have voiced concerns that
7 China’s vague patchwork of intelligence, national security, and cybersecurity laws compel
8 Chinese companies to support and cooperate with intelligence work controlled by the Chinese
9 Communist Party.”

10 59. Inherent in Chinese ownership of companies collecting American users’
11 private and personally identifiable information. During the broadcast, among other things, a
12 former member of the U.S. intelligence community observed that what makes the possession
13 of U.S. user data by China-affiliated companies “particularly concerning” is that “[t]he
14 Chinese have fused their government and their industry together so that they cooperate to
15 achieve the ends of the state.” As Senator Hawley observed during the broadcast, for example,
16 the Chinese-owned parent company of TikTok had an express legal obligation to share such
17 private user data with the Chinese government: “under Chinese law, TikTok, ByteDance, the
18 parent, is required to share data with the Chinese Communist Party”; “all it takes is one knock
19 on the door of their parent company, based in China, from a Communist Party official for that
20 data to be transferred to the Chinese government’s hands, whenever they need it.”

21 60. In testimony given to Congress in November 2022, FBI Director Christopher
22 Wray reiterated these concerns, noting that Chinese law requires Chinese companies to “do
23 whatever the government wants them to in terms of sharing information or serving as a tool of
24 the Chinese government. And so that’s plenty of reason by itself to be extremely concerned.”

25 61. China-based companies are required by law to secretly provide consumer data
26 to the government upon demand.

27 62. The message contained in each of China’s state security laws passed since the
28 beginning of 2014 is clear: everyone is responsible for the party-state’s security. According to
the CCP’s definition of state security, “the Party’s political leadership is central...” And the
party expects Chinese people and citizens to assist in collecting intelligence. The Intelligence
Law states “any organization and citizen shall, in accordance with the law, support, provide

1 assistance, and cooperate in national intelligence work, and guard the secrecy of any national
2 intelligence work that they are aware of..." Not only is everyone required to participate in
3 intelligence work when asked, but that participation must be kept secret.

4
5 **C. Temu Uses Unfair Business Practices to Get Users to Engage with the App.**

6 63. Defendants actively utilize manipulative and deceptive practices in order to
7 maximize the number of users who sign up to use the app, thereby maximizing the amount of
8 data that Defendants can misappropriate. According to one commentator, "TEMU is a
9 notoriously bad actor in its industry. We see rampant user manipulation, chain-letter-like
10 affinity scams to drive signups, and overall, the most aggressive and questionable techniques
11 to manipulate large numbers of people to install the app."

12 64. Defendants seek to induce users to sign up for the Temu App with the promise
13 of low-cost, high-quality goods manufactured in China. Defendants underscore this aspect of
14 the platform through a variety of mechanisms such as pop-ups with wheels to spin for
15 discounts, tokens to collect, and countdown clocks.

16 65. These tactics have been wildly successful: "PDD's TEMU online marketplace
17 is being reported as among the fastest uptaken apps in history."

18 66. These practices have allowed Defendants to maximize their access to user data
19 through the false promise of low-cost, high-quality goods. Moreover, they further demonstrate
20 that Defendants' real business is not providing a platform for the sale of quality merchandise,
21 but rather obtaining access to user data under false pretenses, which they then misappropriate
22 and seek to monetize.

23 67. Defendants utilize additional deceptive marketing techniques to induce users to
24 sign up for the platform and grant Defendants access to user data. For example, Defendants
25 run what has been described as an "affinity scam" or "chain letter" like tactic where users are
26 repeatedly urged to sign up their friends and acquaintances in order to expand the number of
27 users whose data Defendants may then access through the App.

28 68. Among other things, Temu offers credit and free items to users who get their
friends and acquaintances to sign up for the app. "Those who do register are subjected to a
bombardment of emails and app notifications."

1 69. “Once you give TEMU your personal information, you will be repeatedly
2 spammed, hounded, nagged, and bribed to get your friends and family to give TEMU their
3 personal information. When users fall down this rabbit hole (getting that Nintendo Switch
4 absolutely free), TEMU sends a torrent of popup sequences milking users for ‘just one more
5 contact’.”

6 70. In addition, Temu users are bombarded by notifications and spam from third
7 parties other than Defendants. These emails and notifications occur even after users delete the
8 app from their devices and even when users seek to block such notifications.

9 71. Moreover, Temu has utilized online “influencers” to harvest new users on an
10 even larger scale. “There are now literally thousands of so-called ‘influencers’ hawking
11 TEMU referrals on Reddit, YouTube, TikTok, and also Minecraft, Roblox, Discord... the
12 pitch is: ‘You don’t have to buy anything, just sign up!’” “If you have a social media
13 presence, TEMU will figure that out and will start to spam you – every day – to induce you to
14 create videos promoting TEMU, for which they promise to pay.”

15 72. Defendants attract and maintain users through other fraudulent means. For
16 example, “TEMU ... compensates users to write reviews,” which are then “obviously skewed
17 positive.” Moreover, reviews are categorized in a deceptive manner with reviews
18 characterized as “five stars” positive reviews when in reality they contain extremely negative
19 comments about the platform.

20 73. Finally, as illustrated by its gamified nature, Temu is designed to be highly
21 addictive. As one report notes, “[t]he app successfully keeps people hooked. The average user
22 spends around 28 minutes a day on the app, according to Sensor Tower, nearly double the 16
23 minutes spent on Amazon.” The more time users spend on the app, the more data is available
24 for covert collection by Defendants in violation of users’ right to privacy in their personal
25 data.

26 74. As one analysis observes, the addictive tactics extend not only to users
27 continued use of the platform, but also inducing individuals to sign up for the app: “Your
28 behavior will be categorized and siloed. If these kinds of inducements exert an addictive pull
29 on your brain, AI pattern recognition will guarantee you will see a lot more of them.”

1 **C. Plaintiffs' Have Been Harmed by Temu's Violations.**

2 75. The United States Supreme Court has recognized that, in contemporary
3 society, cell phones are so ubiquitous and inextricably intertwined with the user's personal
4 privacy that the devices have become "almost a 'feature of human anatomy.'" *Carpenter v.*
5 *United States*, 138 S. Ct. 2206, 2218 (2018) (quoting *Riley v. California*, 573 U.S. 373, 385
6 (2014)).

7 76. As a result of their multiple violations of users' data privacy, Defendants
8 possess identifying information, biometric identifiers and information, and other data
9 sufficient to create a file of private and personally identifiable data and content for Plaintiffs.
10 Such files can be supplemented over time with additional private and personally identifiable
11 user data and content, and all of this private and personally identifiable data and information
12 has been, is, and will be used in the past, the present, and the future for economic and
13 financial gain.

14 77. Meanwhile, Plaintiffs have incurred, and continue to incur, harm as a result of
15 the invasion of privacy stemming from Defendants' possession of their private and personally
16 identifiable data and content – including their user identifiers, biometric identifiers and
17 information, and other data.

18 78. Plaintiffs have suffered and continue to suffer harm in the form of diminution
19 of the value of their private and personally identifiable data and content as a result of
20 Defendants' surreptitious and unlawful activities.

21 79. Plaintiffs have a reasonable expectation of privacy in the private and personally
22 identifiable data and content on their mobile devices.

23 80. Through the unauthorized collection of their data, Plaintiffs' may have suffered
24 additional injuries. The data collected from Temu users by these unauthorized means can be
25 misused by Defendants themselves in ways that are not authorized, including the information
26 being sold or given to unauthorized third parties without the consent of Plaintiffs.

27 81. Temu users may be subjected to additional injuries, including the provision or
28 sale of their data to unauthorized third parties or the use of their data in ways that users did not
authorize by Defendants themselves.

FIRST CAUSE OF ACTION
VIOLATION OF THE ELECTRONIC COMMUNICATIONS PRIVACY ACT OF
1986 (ECPA).
18 U.S.C. §§ 2510 ET SEQ.
(All Plaintiffs Against All Defendants)

82. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

83. The Electronic Communications Privacy Act of 1986, 18 U.S.C. §§ 2510, et seq., prohibits the interception of any wire, oral, or electronic communications without the consent of at least one authority party to the communication. The statute confers a civil cause of action on “any person whose wire, oral, or electronic communication is intercepted, disclosed, or intentionally used in violation of this chapter.” (*see*; 18 U.S.C. § 2510(4)).

84. “Intercept” is defined as “the aural or other acquisition of the contents of any wire, electronic, or oral communication through the use of any electronic, mechanical, or other device.” (*see*; 18 U.S.C. § 2510(4)).

85. “Contents” is defined as “includ[ing] any information concerning the substance, purport, or meaning of that communication.” (*see*; 18 U.S.C. § 2510(4)).

86. “Person” is defined as “any employee, or agent of the United States or any State or political subdivision thereof, and any individual, partnership, association, joint stock company, trust, or corporation.” (*see*; 18 U.S.C. § 2510(4)).

87. “Electronic communication” is defined as “any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo optical system that affects interstate or foreign commerce” (*see*; 18 U.S.C. § 2510(4)).

88. For the purposes of the ECPA, Defendants, as a corporation are each defined as a “person.”

89. The Temu App/platform was designed with malware written into its code that secretly accesses texts, emails and other content on users’ computers, phones and/or mobile devices, each constituting a “device or apparatus.”

90. Defendants used the Temu app/platform to intercept wire, oral, or electronic communication through electronic means on users’ devices.

1 91. For the purposes of 18 U.S.C. § 2510(12), Plaintiffs’ texts, emails, electronic
2 interactions with others on social media and websites, sensitive personal information, and
3 data, and interactions with other individuals and websites are “electronic communication(s).”

4 92. Through the Temu App/platform Defendants surreptitiously intercepted
5 plaintiffs’ “electronic communication[s]”.

6 93. Plaintiffs have an expectation of privacy in such communications, and
7 exercised a reasonable expectation of privacy concerning the transmission of those messages,
8 and reasonably believed that their electronic communications were not being intercepted,
9 recorded, copied, disseminated, and/or misappropriated.

10 94. Plaintiffs’ electronic communications were intercepted during transmission,
11 without their consent and for the unlawful and/or wrongful purpose of monetizing private
12 information and data, including by using their private information and data to develop
13 marketing and advertising strategies and utilizing user data for other commercial advantage.

14 95. Defendants were not parties to Plaintiff’s communications.

15 96. Defendants are sophisticated parties, who at all relevant times knowingly,
16 willfully and intentionally intercepted Plaintiffs’ electronic communications through the Temu
17 App/platform.

18 97. Plaintiffs did not consent to Defendants’ interception, disclosure, use and/or
19 misuses and misappropriation of their electronic communications.

20 98. Defendants violated 18 U.S.C. § 2511(1)(a) by intentionally intercepting,
21 and/or attempting to intercept, messages transmitted by Plaintiffs who have used the Temu
22 app/platform.

23 99. Defendants violated 18 U.S.C. § 2511(1)(a), by using Plaintiffs’ intercepted
24 communications and data intentionally for corporate gain and profit.

25 100. Defendants were unjustly enriched by their unauthorized interception of
26 Plaintiffs’ electronic communications.

27 101. Defendants violated 18 U.S.C. § 2511(1)(a), by making Plaintiffs’
28 communications accessible by third parties, including the Chinese Communist Party and
foreign governmental entities whose interests are opposed to those of United States citizens.

102. Plaintiffs suffered and will continue to suffer damages including but not limited to loss of their information and loss of money and costs incurred, all of which have ascertainable value to be proven at trial.

103. Pursuant to 18 U.S.C. § 2520, Plaintiffs have been damaged by the interception, disclosure, and/or use of their communications in violation of the ECPA and are each entitled to: (1) appropriate equitable or declaratory relief; (2) damages, in an amount to be determined at trial, assessed as the greater of (a) the sum of the actual damages suffered by Plaintiffs and any profits made by Defendants as a result of the violation, or (b) statutory damages of whichever is the greater of \$100 per day per violation or \$10,000; and (3) reasonable attorneys' fees and other litigation costs reasonably incurred.

SECOND CAUSE OF ACTION
VIOLATION OF THE COMPUTER FRAUD AND ABUSE ACT,
18 U.S.C. §§ 1030
(All Plaintiffs Against All Defendants)

104. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

105. The Computer Fraud and Abuse Act, 18 U.S.C. § 1030, referred to as "CFAA," regulates fraud and related activity in connection with computers, and makes it unlawful to intentionally access a computer used for interstate commerce or communication, without authorization or by exceeding authorized access to such a computer, thereby obtaining information from such a protected computer, within the meaning of U.S.C. § 1030(a)(2)(C).

106. 18 U.S.C. § 1030(a)(5)(A)(i) makes it unlawful to "knowingly cause the transmission of a program, information, code, or command and as a result of such conduct, intentionally cause damage without authorization, to a protected computer," of a loss to one or more persons during any one-year period aggregating at least \$5,000 in value.

107. 18 U.S.C. § 1030(g) provides a civil cause of action to "any person who suffers damage or loss by reason of a violation of CFAA."

108. Defendants violated 18 U.S.C. § 1030 by intentionally accessing Plaintiffs' computers without authorization or by exceeding authorization, and by obtaining information from a protected computer.

1 109. Plaintiffs' computer, smartphone, and/or mobile devices, such as a tablet or
2 iPad is a "protected computer . . . which is used in interstate commerce and/or
3 communication" within the meaning of 18 U.S.C. § 1030(e)(2)(B).

4 110. Defendants violated 18 U.S.C. § 1030(a)(5)(A)(i) by knowingly causing the
5 transmission of data and programs on Plaintiffs' protected computers.

6 111. Defendants violated 18 U.S.C. § 1030(a)(5)(A)(i) by storing sniffing code to
7 access, collect, and transmits details of Plaintiffs' web activities and communications.

8 112. Defendants violated 18 U.S.C. § 1030(a)(5)(A)(ii) by intentionally accessing
9 Plaintiffs' protected computers without authorization, and as a result of such conduct,
10 recklessly caused damage to Plaintiffs' computers by weakening the integrity of data and/or
11 system and/or information stored on Plaintiffs protected computers.

12 113. Defendants violated 18 U.S.C. § 1030(a)(5)(A)(ii) by surreptitiously installing
13 dangerous malware and spyware onto Plaintiffs' protected computers causes the Plaintiffs to
14 suffer damage through the "impairment to the integrity or availability of data, a program, a
15 system or information."

16 114. Defendants' unlawful access to Plaintiffs' computers and electronic
17 communications has caused Plaintiffs irreparable injury.

18 115. Plaintiffs have suffered loss, as defined in 18 U.S.C. § 1030(e)(11). In
19 expending "reasonable cost" associated with Plaintiffs responding to the violating offense,
20 conducting a damage assessment, and restoring the data, program, system, or information to
21 its condition prior to the offense, and any revenue lost, cost incurred, or other consequential
22 damages incurred because of interruption of service or the data breach.

23 116. Plaintiffs have suffered damages by reason of Defendants' violations,
24 including, without limitation, violation of the right of privacy, and disclosure of personal
25 information that is otherwise private, confidential, and not of public record.

26 117. As a result of Defendants' conduct, Plaintiffs have suffered loss and damages
27 during any one-year period aggregating at least \$5,000 in real economic damages.
28

THIRD CAUSE OF ACTION
VIOLATION OF THE CALIFORNIA COMPREHENSIVE DATA ACCESS AND
FRAUD ACT,
CAL. PEN CODE. § 502
(All California Plaintiffs Against All Defendants)

118. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

119. Cal. Penal Code § 502 provides: “For purposes of bringing a civil or a criminal action under this section, a person who causes, by any means, the access of a computer, computer system, or computer network in one jurisdiction from another jurisdiction is deemed to have personally accessed the computer, computer system, or computer network in each jurisdiction.” Smart phone devices with the capability of using web browsers are “computers” within the meaning of the statute.

120. Defendants violated Cal. Penal Code § 502(c)(2) by knowingly accessing and without permission taking, copying, analyzing, and using Plaintiffs’ “computer” browsing data.

121. Defendants were unjustly enriched when it surreptitiously acquired Plaintiffs’ sensitive and valuable personal information without permission and used it for Defendants’ financial benefit.

122. Plaintiffs retain a stake in the profits Defendants earned from their personal data, as under the circumstances, it is unjust for the Defendants to retain those profits.

123. Defendants accessed, copied, took, analyzed, and used data from Plaintiffs’ computers in and from the State of California, where the Defendants used servers that provided communication links between Plaintiffs’ devices and the Defendants’, which allowed the Defendants to access and obtain Plaintiffs’ data. Accordingly, the Defendants caused the access of Plaintiffs’ computers from California, and is therefore deemed to have accessed Plaintiffs’ computers in California.

124. As a direct and proximate result of the Defendants’ unlawful conduct within the meaning of Cal. Penal Code § 502, the Defendants have caused actual losses to Plaintiffs and has been unjustly enriched in an amount to be proven at trial.

1 125. Plaintiffs seek compensatory damages and/or disgorgement of profits in an
2 amount to be proven at trial.

3 126. Plaintiffs are entitled to exemplary damages pursuant to Cal. Penal Code §
4 502(e)(4) because the Defendants' violations were willful and, upon information and belief,
5 the Defendants are guilty of oppression, fraud, or malice as defined in Cal. Civil Code § 3294.

6 127. Plaintiffs are also entitled to recover their reasonable attorneys' fees pursuant
7 to Cal. Penal Code § 502(e).

8 **FOURTH CAUSE OF ACTION**
9 **VIOLATION OF THE CALIFORNIA INVASION OF PRIVACY ACT,**
10 **CAL. PENAL CODE §§ 630, ET SEQ.**
11 **(All California Plaintiffs Against All Defendants)**

12 128. Plaintiffs reallege and incorporate by reference, as through fully set forth
13 herein, each and every allegation set forth above.

14 129. The California Invasion of Privacy Act ("CIPA") is codified at Cal. Penal Code
15 §§630 to 638.

16 130. The California Legislature enacted the California Invasion of Privacy Act, Cal.
17 Penal Code §§ 630, et seq. ("CIPA") finding that "advances in science and technology have
18 led to the development of new devices and techniques for the purpose of eavesdropping upon
19 private communications and that the invasion of privacy resulting from the continual and
20 increasing use of such devices and techniques has created a serious threat to the free exercise
21 of personal liberties and cannot be tolerated in a free and civilized society." *Id.* § 630. Thus,
22 the intent behind CIPA is "to protect the right of privacy of the people of this state." *Id.*

23 131. Cal. Pen. Code § 631(a) imposes liability upon: "Any person who, by means of
24 any machine, instrument, or contrivance, or in any other manner . . . willfully and without the
25 consent of all parties to the communication, or in any unauthorized manner, reads, or attempts
26 to read, or to learn the contents or meaning of any message, report, or communication while
27 the same is in transit or passing over any wire, line, or cable, or is being sent from, or received
28 at any place within this state; or who uses, or attempts to use, in any manner, or for any
purpose, or to communicate in any way, any information so obtained, or who aids, agrees

1 with, employs, or conspires with any person or persons to lawfully do, or permit, or cause to
2 be done any of the acts or things mentioned above in this section . . .”

3 132. Cal. Pen. Code § 632(a) imposes liability upon: “A person who, intentionally
4 and without the consent of all parties to a confidential communication, uses an electronic
5 amplifying or recording device to eavesdrop upon or record the confidential communication,
6 whether the communication is carried on among the parties in the presence of one another or
7 by means of a telegraph, telephone, or other device, except a radio.”

8 133. Plaintiffs have an expectation of privacy in their private and personally
9 identifiable data and information, and they exercised a reasonable expectation of privacy
10 concerning the transmission of such information.

11 134. Under either section of the CIPA quoted above, a defendant must show it had
12 the consent of all parties to a communication. However, without the consent of either the
13 sender or recipient, Defendants intercepted and recorded messages and electronic
14 communications transmitted using the Temu App/platform without Plaintiffs’ consent or
15 knowledge.

16 135. Defendants knowingly and intentionally used and continue to use the Temu
17 App/platform and associated servers and other computer devices, to read, attempt to read,
18 learn, attempt to learn, eavesdrop, record, and/or use electronic communications containing
19 private data from Plaintiffs, these electronic communications were and are in transit,
20 originating in or sent to California, and without the authorization or consent of Plaintiffs.

21 136. Acts by Defendants in violation of the CIPA occurred in the State of California
22 because those acts resulted from business decisions, practices, and operating policies that
23 Defendants developed, implemented, and utilized in the State of California and which are
24 unlawful and constitute criminal conduct in the state of California.

25 137. Defendants profited and continue to profit in the State of California as a result
26 of these repeated and systemic violations of CIPA. Defendants’ unlawful conduct, which
27 occurred in the State of California, harmed and continues to harm Plaintiffs.

28 138. The communications intercepted by Defendants include “contents” of
electronic communications exchanged between Plaintiffs, on the one hand, and third parties
through shared communications.

1 139. Defendants recorded and stored such private message content, separate from
2 the process of transmitting the message to the intended recipient.

3 140. Defendants purposefully designed the Temu app/platform in a way that they
4 knew Plaintiffs' privacy rights would be violated, in that their messages would be unlawfully
5 intercepted and recorded.

6 141. Under Cal. Penal Code § 631(a) The following constitute "machine[s],
7 instrument[s], or contrivance[s]: (a) Plaintiff's personal computing devices; (b) the computer
8 codes and programs Defendants used to effectuate the interception of communications; (c)
9 Defendants' servers; (d) and the plan Defendants carried out to effectuate the interception of
the communications that were exchanged with Plaintiffs'.

10 142. In the alternative, Defendants' purposeful scheme that facilitated its
11 interceptions falls under the broad statutory catch-all category of "any other manner".

12 143. The private data Defendants collected constitutes "confidential
13 communications," as that term is used in Cal. Pen. Code § 632(a), because Plaintiffs have an
14 objectively reasonable expectation of privacy in their communications.

15 144. Plaintiffs did not consent to Defendants' interception, disclosure, and/or use of
16 their electronic communications.

17 145. The unauthorized interceptions described herein are not covered by any
18 business exception because the interceptions were not required to facilitate the
communications.

19 146. Plaintiffs have suffered actual losses by reason of these violations, including,
20 but not limited to, violation of their rights to privacy and loss of value in their personally
21 identifiable information.

22 147. Plaintiffs have a property right in their private communications, videos and
23 messages such that interception of those messages violated those rights and therefore caused
them injuries and damages.

24 148. Plaintiffs suffered further economic injury as a result of Defendants' unlawful
25 and unauthorized interceptions and recordings of communications. The battery, memory, CPU
26 and bandwidth of their cellular devices have been compromised and they incurred additional
27 data and electricity costs that they otherwise would not have.

1 149. Pursuant to Cal. Pen. Code § 637.2, Plaintiffs have been injured by the
2 violations of Cal. Pen. Code §§ 631, 632, and each seeks damages for the greater of \$5,000 or
3 three times the amount of actual damages, as well as injunctive or other equitable relief.

4 150. Plaintiffs have also suffered irreparable injury from these unauthorized acts of
5 disclosure; their personal, private, and sensitive data have been collected, viewed, accessed,
6 stored, and used by Defendants, and have not been destroyed. Due to the continuing threat of
7 such injury, Plaintiffs have no adequate remedy at law. Plaintiffs are entitled to injunctive
8 relief.

9 **FIFTH CAUSE OF ACTION**

10 **VIOLATION OF THE CALIFORNIA UNFAIR COMPETITION LAW,**

11 **CAL. BUS. & PROF. CODE. §§ 17200 ET SEQ.**

12 **(All California Plaintiffs Against All Defendants)**

13 151. Plaintiffs reallege and incorporate by reference, as through fully set forth
14 herein, each and every allegation set forth above.

15 152. California Unfair Competition Law (UCL) prohibits any “unlawful, unfair, or
16 fraudulent business act or practice and unfair, deceptive, untrue or misleading advertising.”
17 Cal. Bus. & Prof. Code § 17200.

18 153. The Defendants’ “unlawful” acts and practices include its violation of the
19 Federal Wiretap Act, 18 U.S.C. § 2510, et seq.; the California Invasion of Privacy Act, Cal.
20 Penal Code §§ 631 and 632; the California Computer Data Access and Fraud Act, Cal. Penal
21 Code § 502, et seq.; and Invasion of Privacy.

22 154. The Defendants’ conduct violated the spirit and letter of these laws, which
23 protect property, economic and privacy interests and prohibit unauthorized disclosure and
24 collection of private communications and personal information.

25 155. The Defendants’ “unfair” acts and practices include its violation of property,
26 economic and privacy interests protected by the statutes identified above.

27 156. Plaintiffs have suffered injuries-in-fact, including the loss of money and/or
28 property as a result of the Defendants’ unfair and/or unlawful practices. Plaintiffs have
suffered unauthorized disclosure and taking of their personal information which has value, as
demonstrated by its use and sale by the Defendants’.

1 157. Plaintiffs have suffered harm in the form of diminution of the value of their
2 private and personally identifiable data and content.

3 158. The Defendants' actions caused damage to, and loss of, Plaintiffs' property
4 right to control the dissemination and use of their personal information and communications.

5 159. The Defendants reaped unjust profits and revenues in violation of the UCL.
6 This includes the Defendants profits and revenues from their targeted-advertising. Plaintiffs
7 seek restitution and disgorgement of these unjust profits and revenues.

8 **SIXTH CAUSE OF ACTION**

9 **VIOLATION OF THE CALIFORNIA FALSE ADVERTISING LAW,**

10 **CAL BUS. & PROF. CODE. §§ 17500 ET SEQ.**

11 **(All California Plaintiffs Against All Defendants)**

12 160. Plaintiffs reallege and incorporate by reference, as through fully set forth
13 herein, each and every allegation set forth above.

14 161. California's False Advertising Law (the "FAL") – Cal. Bus. & Prof. Code §§
15 17500, et seq. – prohibits "any statement" that is "untrue or misleading" and made "with the
16 intent directly or indirectly to dispose of" property or services.

17 162. Defendants' advertising and other statements regarding the Temu
18 App/platform are, and at all relevant times were, highly misleading.

19 163. Defendants do not disclose at all, or do not meaningfully disclose, the private
20 and personally identifiable data and content – including user/device identifiers, biometric
21 identifiers and information, electronic communications, and private data and information –
22 that they have collected and transferred from the Plaintiffs' devices and computers. Nor do
23 Defendants disclose that the Plaintiffs' private and personally identifiable data and content
24 have been made available to the Chinese Communist Party and foreign government entities.

25 164. Reasonable consumers, like the Plaintiffs', are – and at all relevant times were
26 – likely to be misled by Defendants' misrepresentations.

27 165. Reasonable consumers lack the means to verify Defendants' representations
28 concerning their data and content collection and use practices, or to understand the fact or
significance of Defendants' data and content collection and use practices.

1 166. Plaintiffs have been harmed and have suffered economic injury as a result of
2 Defendants' misrepresentations. First, they have suffered harm in the form of diminution of
3 the value of their private and personally identifiable data and content.

4 167. Plaintiffs have a property interest in the personally identifiable information and
5 other personal information taken by Defendants. There is a market for such data and Plaintiffs
6 have been deprived of the money or property they would have received for the data
improperly collected by Defendants.

7 168. Second, they have suffered harm to their devices. The battery, memory, CPU
8 and bandwidth of such devices have been compromised, and as a result the functioning of
9 such devices has been impaired and slowed.

10 169. Third, they have incurred additional data usage and electricity costs that they
11 would not otherwise have incurred.

12 170. Fourth, they have suffered harm as a result of the invasion of privacy stemming
13 from Defendants' accessing their private and personally identifiable data and content –
14 including user/device identifiers, biometric identifiers and information, and other private data
and information.

15 171. Defendants, as a result of their misrepresentations, have been able to reap
16 unjust profits and revenues. This includes Defendants' profits and revenues from their
17 targeted advertising, revenue from the sale of goods on the Temu App/platform, and increased
18 consumer demand for and use of Defendants' other products and services. Plaintiffs seek
19 restitution and disgorgement of these unjust profits and revenues.

20 172. Unless restrained and enjoined, Defendants will continue to misrepresent their
21 private and personally identifiable data and content collection and use practices and will not
22 recall and destroy Plaintiffs' wrongfully collected private and personally identifiable data and
23 content. Accordingly, injunctive relief is appropriate.

24 **SEVENTH CAUSE OF ACTION**
25 **VIOLATION OF THE RIGHT OF PRIVACY UNDER THE CALIFORNIA**
26 **CONSTITUTION**
27 **(All California Plaintiffs Against All Defendants)**
28

1 173. Plaintiffs reallege and incorporate by reference, as through fully set forth
2 herein, each and every allegation set forth above.

3 174. The California Constitution and Common Law protect consumers from
4 invasions of their privacy and intrusion upon seclusion.

5 175. The right to privacy in California's constitution creates a right of action against
6 private entities such as the Defendants.

7 176. Plaintiffs' expectation of privacy is deeply enshrined in California's
8 Constitution. Article I, section 1 of the California Constitution provides: "All people are by
9 nature free and independent and have inalienable rights. Among these are enjoying and
10 defending life and liberty, acquiring, possessing, and protecting property and pursuing and
obtaining safety, happiness, and privacy."

11 177. The phrase "and privacy" was added by the "Privacy Initiative" adopted by
12 California voters in 1972. After voters approved a proposed legislative constitutional
13 amendment designated as Proposition 11. Critically, the argument in favor of Proposition 11
14 reveals that the legislative intent was to curb businesses' control over the unauthorized
collection and use of consumers' personal information, stating:

15 The right of privacy is the right to be left alone...It prevents
16 government and business interests from collecting and stockpiling
17 unnecessary information about us and from misusing information
18 gathered for one purpose in order to serve other purposes or to
embarrass us. Fundamental to our privacy is the ability to control
19 circulation of personal information. This is essential to social
relationships and personal freedom. BALLOT PAMP., PROPOSED
STATS. & AMENDS. TO CAL. CONST. WITH ARGUMENTS TO
VOTERS, GEN. ELECTION *26 (Nov. 7, 1972).

20 178. The principal purpose of this constitutional right was to protect against
21 unnecessary information gathering, use, and dissemination by public and private entities,
22 including the Defendants.

23 179. To plead a California constitutional privacy claim, "a plaintiff must show an
24 invasion of (1) a legally protected privacy interest; (2) where the plaintiff had a reasonable
25 expectation of privacy in the circumstances; and (3) conduct by the defendant constituting a
26 serious invasion of privacy."

27 180. The Defendants collected the data with the intent to intrude upon users'
28 seclusion and invade their constitutional privacy.

1 181. As described herein, The Defendants have intruded upon the following legally
2 protected privacy interests:

- 3 a. The California Invasion of Privacy Act as alleged herein;
4 b. The California Comprehensive Data Access and Fraud Act as alleged
5 herein;
6 c. A Fourth Amendment right to privacy contained on personal computing
7 devices, including web-browsing history, as explained by the United States
8 Supreme Court in the unanimous decision of *Riley v. California*;
9 d. The California Constitution, which guarantees Californians the right to
privacy;

10 182. The Defendants' Privacy Policy and policies referenced therein and other
11 public promises it made not to track or intercept Plaintiffs' communications or access their
12 computing devices and web-browsers while in a private browsing session.

13 183. Plaintiffs had a reasonable expectation of privacy under the circumstances in
14 that Plaintiffs could not reasonably expect the Defendants would commit unlawful and
15 offensive acts in violation of federal and state civil and criminal laws, and the Defendants
would and do secretly track their communications or access their computing devices.

16 184. The Defendants' actions constituted a serious invasion of privacy in that it,
17 invaded a zone of privacy protected by the Fourth Amendment, namely the right to privacy in
18 data contained on personal computing devices, including conversations, and other personal
19 data.

20 185. Violated dozens of state criminal laws on wiretapping and invasion of privacy,
21 including the Federal Wire Tap Law and The California Invasion of Privacy Act;

22 186. Invaded the privacy rights of hundreds of millions of consumers (including
23 Plaintiffs) without their consent.

24 187. Constituted the unauthorized taking of valuable information from hundreds of
25 millions of consumers (including Plaintiffs) through deceit.

26 188. Further violated Plaintiffs' reasonable expectation of privacy via the
27 Defendants' review, analysis, and subsequent use of Plaintiffs' private conversations and data
28 that Plaintiffs considered sensitive and confidential.

189. The surreptitious and unauthorized tracking of the internet communications of Plaintiffs, constitutes an egregious breach of social norms that is highly offensive.

190. The Defendants' invasion of privacy into Plaintiffs' internet communications and their computing devices, was highly offensive to a reasonable person in that they violated federal and state criminal and civil laws designed to protect individual privacy and against theft.

191. Following the Defendants' unauthorized interception of the sensitive and valuable personal information, the subsequent analysis and use of that private data to develop and refine profiles on Plaintiffs violated their reasonable expectations of privacy.

192. Wiretapping and surreptitious recording of communications is highly offensive behavior.

193. The Defendants lacked a legitimate business interest in tracking users while browsing the internet in incognito mode without their consent.

194. Plaintiffs have been damaged by the Defendants' invasion of their privacy and they are entitled to just compensation and injunctive relief.

EIGHTH CAUSE OF ACTION
INTRUSION UPON SECLUSION

(All California Plaintiffs Against All Defendants)

195. Plaintiffs reallege and incorporate by reference, as through fully set forth herein, each and every allegation set forth above.

196. Plaintiffs asserting claims for intrusion upon seclusion must plead: "(1) intrusion into a private place, conversation, or matter; (2) in a manner highly offensive to a reasonable person."

197. In carrying out its scheme to track and intercept Plaintiffs' communications while they were using the Temu App/platform, the Defendants violated Plaintiffs' rights to privacy and seclusion.

198. The Defendants intentionally intruded upon Plaintiffs' solitude or seclusion in that it effectively placed itself in the middle of conversations to which it was not an authorized party.

199. The Defendants' tracking and interception were not authorized by Plaintiffs, the Websites, and/or any other third party with which they were communicating with.

200. The Defendants' intentional intrusion into their internet communications and their computing devices was highly offensive to a reasonable person in that they violated federal and state criminal and civil laws designed to protect individual privacy and against theft.

201. The taking of personally identifiable information from Plaintiffs through deceit is highly offensive behavior.

202. Secret monitoring of private web browsing is highly offensive behavior.

203. Wiretapping and surreptitious recording of communications is highly offensive behavior.

204. Plaintiffs have been damaged by the Defendants' invasion of their privacy and are entitled to reasonable compensation including but not limited to disgorgement of profits related to the unlawful internet tracking.

PRAYER

WHEREFORE, Plaintiffs respectfully requests that this court:

- a. Entry of an order declaring that Defendants' actions, as set forth in this Complaint, violate the law;
- b. That the Plaintiffs be awarded all costs and litigation expenses incurred in bring this action;
- c. For reasonable attorneys' fees and costs incurred in bringing this action;
- d. A judgment in favor of Plaintiffs awarding them appropriate monetary relief, including actual and statutory damages, including statutory damages under the CDAFA, punitive damages, attorney fees, expenses, costs, and such other and further relief as is just and proper.
- e. Entry of judgment in favor of Plaintiffs awarding compensatory damages, including statutory damages where available, to Plaintiffs and each of them, against Defendants for all damages sustained as a result of


- 1 Defendants' wrongdoing, in an amount to be proven at trial, including
2 interest thereon;
- 3 f. Award Plaintiffs pre- and post-judgment interest;
- 4 g. Award Plaintiffs their costs of suit, including reasonable attorneys' fees and
5 expenses;
- 6 h. Order disgorgement of all of Defendants' profits that were derived, in whole
7 or in part, from the Defendants' interception and subsequent use of
8 Plaintiffs' communications;
- 9 i. Award punitive damages in an amount to prevent Defendants' further
10 misconduct;
- 11 j. Entry of a permanent injunction, including public injunctive relief, enjoining;
- 12 k. Grant Plaintiffs such further relief as the Court deems appropriate. Plaintiffs
13 and each of them seek an award of actual damages to be determined at trial.
14

15 **JURY TRIAL DEMAND**

16 Plaintiffs demand a trial by jury of all issues so triable.
17

18
19 POTTER HANDY, LLP

20
21 Dated: March 18, 2025

22 

23 Krista Hemming
24 Attorneys for Plaintiffs
25
26
27
28

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COMPLAINT: Attachment 1

DAVID CLARK, ET AL., V. WHALECO, INC., d/b/a TEMU, ET AL.,

2	Angela Jones	AL
3	April Moss	AL
4	Ashley Estes	AL
5	Brandon Mullins	AL
6	Cassandra Wigfall	AL
7	Christopher Rice	AL
8	Debra Spruill	AL
9	Debra Williams	AL
10	Donald Watson	AL
11	Felicia Withers	AL
12	Harley Howard	AL
13	Janice Kyles	AL
14	Kimberley Hill	AL
15	Kimberly Brown	AL
16	Latanya Fields	AL
17	Latoria Morgan	AL
18	Latoshia Smith	AL
19	Leigh Corfman	AL
20	Lisa Futch	AL
21	Lisa Jenkins	AL
22	Nicola Foreman	AL
23	Ramona Dixie	AL
24	Regina Hester Weems	AL
25	Richard McDonald	AL
26	Stephan Lescallett	AL
27	Teresa Patrick	AL
28	Tonya Sanchesviesca	AL
29	Trent Eads	AL
30	Wayne Griffin	AL
31	William Mest	AL
32	Donna Clark	AR
33	Jerry Turley	AR
34	Karen Mehelich Barnes	AR

35	Leah Ward	AR
36	Lesha Book	AR
37	Louann Trevino	AR
38	Shanna Shelton	AR
39	Traci King	AR
40	Traci Willingham	AR
41	Alberto Sanchez Jr.	AZ
42	Ava Hall	AZ
43	Betty Holmes	AZ
44	Cheryl Tates	AZ
45	Dekishsa Burton	AZ
46	Elizabeth Longoria	AZ
47	Jane Fricke	AZ
48	Jordan Johnson	AZ
49	Kyle Phillip	AZ
50	Markita Gatewood	AZ
51	Marlyce Kemnitz	AZ
52	Mickey Jo Ann Quijada	AZ
53	Nicholas Taflan	AZ
54	Patricia Ahlman	AZ
55	Renee Myers	AZ
56	Roger Travis	AZ
57	Sharlene Jenkins	AZ
58	Trenton Kight	AZ
59	Veronica Olivas	AZ
60	Alan Rodin	CA
61	Alexa Nealey	CA
62	Alexander Navas	CA
63	Allicia Sanchez	CA
64	Anthony Ruiz	CA
65	Barbara Robertson	CA
66	Beau Martinez	CA
67	Bonnie McKean	CA

68	Camille Ginton	CA
69	Celesta Lewis-Martin	CA
70	Charles Horan	CA
71	Charles Rogal	CA
72	Connie Cashaw	CA
73	Cynthia Gilmore	CA
74	Darlene Fouse	CA
75	Dawn Ojeda	CA
76	Demetric Mims	CA
77	Diana Linares	CA
78	Diane Mitchell	CA
79	Dudley Morrison	CA
80	Dylan Fultz	CA
81	Dylon Allred	CA
82	Estevan Sanchez	CA
83	Evan Kimes	CA
84	Felix Velasquez	CA
85	Francisco Espino	CA
86	George Calawod	CA
87	Hayley Kirkland	CA
88	Hue Banh	CA
89	Illona Thompson	CA
90	Inella Holmes	CA
91	Iryna Nelson	CA
92	Isabella Villa	CA
93	Jayne Armijo	CA
94	Jennifer Huffman	CA
95	Jessica Do	CA
96	Kathy Garcia	CA
97	Keenan Clements	CA
98	Khin Moe	CA
99	Lashanti Clark	CA
100	Lisa Hungerford	CA
101	Lorraine Lopez	CA
102	Luis Ortega	CA
103	Martha Guerra	CA
104	Martha Lewis	CA
105	Martin Jequinto	CA
106	Mary Stewart	CA
107	Michael Kleymenov	CA
108	Minhong Beak	CA
109	Nellie Moss	CA
110	Nerissa Aspurias	CA
111	Olivia Emerson	CA

112	Regina Raske	CA
113	Rick Macklin	CA
114	Rickie Harris	CA
115	Robbi Ferren	CA
116	Robert Parkerson	CA
117	Robin Hall	CA
118	Rocio Rios	CA
119	Salvador Delacerda	CA
120	Sandra Perez	CA
121	Sashia Arson	CA
122	Sean Dunn	CA
123	Sharon Oguro	CA
124	Shaun Oguinn	CA
125	Sherry Frye	CA
126	Silvestre Jaramillo	CA
127	Suzanne Faulhaber	CA
128	Tanpitcha Trivuth	CA
129	Timothy Hamilton	CA
130	Tina James	CA
131	William Davis	CA
132	Yolandi Kohrumel	CA
133	Carole Filyaw	CO
134	Christa Brown	CO
135	Cindy Hayden	CO
136	Cynthia Moore	CO
137	Jana Carter	CO
138	Jeffry Whitsett	CO
139	John Stone	CO
140	Reana Orcutt	CO
141	Suzann Look	CO
142	Tammy Soto	CO
143	Tessa Fleury	CO
144	Alexis Rosa	CT
145	Caroline Kolb	CT
146	Christina Zesk	CT
147	Ladelle Cole	CT
148	Lauren Gorr	CT
149	Nicole Hokansson	CT
150	Reginald Wynder	CT
151	Tara Puzacke	CT
152	Enrique Avelar	DE
153	Jules Armstrong	DE
154	Tara Bohner	DE
155	Al Desantis	FL

156	Alexis Ramos	FL
157	Alexzandra Zorich	FL
158	Alice Geraldts	FL
159	Allison Cain	FL
160	Amy Bates	FL
161	Annie Gaines	FL
162	Anthony Patino	FL
163	Becky Norton	FL
164	Belinda Jordan	FL
165	Christina Hardeman	FL
166	Craig Jacobsen	FL
167	David Eddinger	FL
168	Desean Clarke	FL
169	Donna Jarvis	FL
170	Gileane Litis	FL
171	Gina Ferrara	FL
172	Ivory Samuels	FL
173	Jahaira Melendez	FL
174	Jeanne Cheslock	FL
175	Jeff Hamill	FL
176	Jen Gobaira	FL
177	Jenice Gurney	FL
178	Jordan Stauffer	FL
179	Joshua Scheirer	FL
180	Karin Lynch	FL
181	Kathie Ostrowski	FL
182	Kayla Fagenbaum	FL
183	Kyara Patterson	FL
184	Laura Foss	FL
185	Lisa McIntosh	FL
186	Lisette Melendez-Mulero	FL
187	Marion Pomar	FL
188	Marlene Gallegos	FL
189	Melissa Ellis	FL
190	Melissa Whitty	FL
191	Patricia Dickson	FL
192	Patrick Potthast	FL
193	Penelope Rankin	FL
194	Rhett Rosica	FL
195	Rick Lindsay	FL
196	Robert Crisfield	FL
197	Roberta Walker	FL
198	Robin Godwin	FL
199	Robin Singer	FL

200	Ruth McCoy	FL
201	Shannon Mullis	FL
202	Sherry Nabors	FL
203	Stephanie Holloway	FL
204	Susen Stephens	FL
205	Tabatha Malone	FL
206	Teofil Sluschewski	FL
207	Victoria Ferrell	FL
208	Yaleidys Villalba	FL
209	Amanda Jackson	GA
210	Andrew James Stanford	GA
211	Anita Crane	GA
212	Annamaria Barton	GA
213	Chatea McBride	GA
214	Chavaris Redmon	GA
215	Chucferrio Booker	GA
216	Clarissa Wright	GA
217	D'andre Johnson	GA
218	Delores Rutledge	GA
219	Donnie Ashley	GA
220	Eric Liles	GA
221	Gregg Bellah	GA
222	Ivan Kauffmann	GA
223	Jackie Wash	GA
224	Jazmin Roman	GA
225	Jessica Blake	GA
226	Jessica Lorton	GA
227	Joyce Chapple	GA
228	Julie Byram	GA
229	Kelly Crawford	GA
230	Kenneth Foster	GA
231	Lisa Taylor	GA
232	Lori Toms	GA
233	Pamela Wilson	GA
234	Sabrina Kincaid	GA
235	Samantha Turpin	GA
236	Samuel Dowling	GA
237	Shamarah Dawn Pierce-Gray	GA
238	Sheila Barboza	GA
239	Susan Steers	GA
240	Tomika Holland	GA
241	Yolanda Jefferson	GA
242	Leonard Cantiberos	HI
243	Amanda Locke	IA

244	Everett Bromwich	IA
245	Mandy Warren	IA
246	Mary Butts	IA
247	Regina Krizan	IA
248	Traci Smith	IA
249	Cara Whiting	ID
250	Eve McInnes	ID
251	Hannah Sabo	ID
252	Laryssa Budden	ID
253	Laura Weir	ID
254	Wanda Langley	ID
255	Ada Rivera	IL
256	Aidan Kowalisyn	IL
257	Alex Daugherty	IL
258	Alexis Bailey	IL
259	Alexis Pasternak	IL
260	Alisa Harris	IL
261	Althea Reed	IL
262	Amanda Johnson	IL
263	Amy Smalley	IL
264	Andrea Eisenbise	IL
265	Andrea Rucker	IL
266	Andrew Freeman	IL
267	Angie Pippin	IL
268	Anissa Singleton	IL
269	Anita Rodriguez	IL
270	Ann Mitchell	IL
271	Annie Myers	IL
272	Ashleigh Inson	IL
273	Ashley Brewer	IL
274	Autumn Durbin	IL
275	Bartholomew Powell	IL
276	Becky Redman	IL
277	Benjamin Seel	IL
278	Brandon Sneed	IL
279	Brenda Rockamann	IL
280	Brett Gooden	IL
281	Brian Silsbee	IL
282	Brian Swanson	IL
283	Bridget Kane	IL
284	Britni Ahlers	IL
285	Calvin Wiggins	IL
286	Carneasha Nunnally	IL
287	Carrie Althoff	IL

288	Cassandra Pendleton	IL
289	Cathy Solis	IL
290	Charlotte Chester	IL
291	Chelsea Hammer	IL
292	Christine Jones	IL
293	Christine King	IL
294	Dalila Martinez	IL
295	Daniall Akins	IL
296	Danielle Collins	IL
297	Dannette L Jorenby	IL
298	Darneshia Williams	IL
299	David Malone	IL
300	Dawn Boitnott	IL
301	Deborah Draper	IL
	Deborah Jones-	
302	Henderson	IL
303	Denise Polich	IL
304	Deshaun Givens	IL
305	Devan Vankirk	IL
306	Dianna Brown	IL
307	Djuana Lucas	IL
308	Donald Haupt	IL
309	Doretha McCrary	IL
310	Dorothea Bohanan	IL
311	Emma Hall	IL
312	Greg Hansford	IL
313	Gregory Brackenridge	IL
314	Hala Haleem	IL
315	Heather Cherry	IL
316	Helena Meriweather	IL
317	Idalis Diaz	IL
318	Inez Sanders	IL
319	Jackie Tucker	IL
320	Jade Simmons	IL
321	James Trusner	IL
322	Jamie Rippel	IL
323	Jana Sykes	IL
324	Janice Hertular	IL
325	Jasmine Nelson	IL
326	Jasmine Scott	IL
327	Jason Davis	IL
328	Jayme Ellis	IL
329	Jennifer Menke	IL
330	Jerry Woods	IL
331	Jessica Bone	IL

332	Jessica Carter	IL
333	Jessie Nguyen	IL
334	John Adams	IL
335	John Rankin	IL
336	Jose Sanchez-Garcia	IL
337	Joy Tyda	IL
338	Juan Guzman	IL
339	Justin Sanchez	IL
340	Kaitlyn Berry	IL
341	Kanisha Thompson	IL
342	Katera Brooks	IL
343	Kaye Hart	IL
344	Keisha Smith	IL
345	Kelly Andres	IL
346	Kelsey Brown	IL
347	Kelvin McAtee	IL
348	Kenneth Rosa	IL
349	Kenyatta Benson	IL
350	Kevin Vinson	IL
351	Kristen Colvin	IL
352	Kristina Stroud	IL
353	Ladreama Outlaw	IL
354	Len Gasper	IL
355	Lillian Williams	IL
356	Linda Matsumoto	IL
357	Lucinda Wall	IL
358	Luz Colon	IL
359	Lynn Schmook	IL
360	Maria Vallejo	IL
361	Mark Kitterman	IL
362	Mark Ward	IL
363	Mary Breier	IL
364	Mary McGrew	IL
365	Mary Sims	IL
366	Mary Thomas	IL
367	Mashakii Roan	IL
368	Mashell Gamill	IL
369	Melissa Bryan	IL
370	Melvin Dixon	IL
371	Michael Amen	IL
372	Michelle Kamholz	IL
373	Minerva Rivera	IL
374	Minette Tipps	IL
375	Miranda Jordan	IL

376	Morgan Miller	IL
377	Morris Robinson II	IL
378	Motyka Gibson	IL
379	Nambii Mangun	IL
380	Nicole Harris	IL
381	Nina Dubinsky	IL
382	Nina Fulton	IL
383	Noah Rich	IL
384	Owen Tardy	IL
385	Paricia Pue	IL
386	Quinton Robinson	IL
387	Richard Vancil	IL
388	Ronda Grant	IL
389	Ronnell Payne	IL
390	Rosa Leon	IL
391	Rosie Davis	IL
392	Ross Krejca	IL
393	Roxanne Helgeson	IL
394	Roy Billingslea	IL
395	Ruby Cardenas	IL
396	Samella Coffee	IL
397	Sara Johnson	IL
398	Shandra Brown	IL
399	Sharda Bailey	IL
400	Sharon Pate Martin	IL
401	Sharon Sims	IL
402	Shawn Garrard	IL
403	Sheila Eddmonds	IL
404	Shinnette Trimble	IL
405	Shorna Henry	IL
406	Spenshae Stokes	IL
407	Stephanie Cheeks	IL
408	Stormy Boettner	IL
409	Suzanne Klausner	IL
410	Taaj Pannell	IL
411	Talyn Dyer	IL
412	Tamara Williams	IL
413	Tashaunee Usher	IL
414	Tashawna Daniels	IL
415	Tausha Boyd	IL
416	Terence Shaw	IL
417	Terrance Watson Jr.	IL
418	Tianna Harris	IL
419	Tiffany Davidson	IL

420	Tom Levy	IL
421	Tonisha Darling	IL
422	Tonya Cox	IL
423	Travis Birkenkamp	IL
424	Unique Malone	IL
425	Venice Miller	IL
426	Veronica Torres	IL
427	Victor Mendez	IL
428	Wanda Hansen	IL
429	Yvonne Stendson	IL
430	Zach Shaffer	IL
431	Bob Maxey	IN
432	Brenda Smith	IN
433	Bryan Perkins	IN
434	Carla Hale	IN
435	Darla Davidson	IN
436	Donna Batchelor	IN
437	Hanna Huckleberry	IN
438	Jennifer Fletcher - Gregory	IN
439	Jennifer Mattingly	IN
440	Jesse Escobedo	IN
441	Jessica Chitzab	IN
442	Kristy Smith	IN
443	Maria Anderson	IN
444	Michael Allen	IN
445	Nikki Battle	IN
446	Nocole Laverty	IN
447	Paula Waters	IN
448	Robert Livers	IN
449	Sherri Panetta	IN
450	Steven Large	IN
451	Teaira Strother	IN
452	Tonya Martin	IN
453	Tracy Schlottman	IN
454	Paula Mortimer	KS
455	Adnana Huric	KY
456	Angela Brooks	KY
457	Cathy D Carstarphen	KY
458	Chrissie Tillery	KY
459	Dewey Helton	KY
460	Doreen Hunter	KY
461	Eric McDowell	KY
462	Felecia White	KY
463	Heather Waddell	KY

464	Jenna Richey	KY
465	Jennifer Jarvis	KY
466	Jeremy Runyon	KY
467	Judith Letcher	KY
468	Justin Jenkins	KY
469	Keisha Coots	KY
470	Kenneth Young	KY
471	Lisa Lara	KY
472	Lisa Talbott	KY
473	Lori Huffman	KY
474	Mendy Jones	KY
475	Quaneisha Tobin	KY
476	Tricia Sheene	KY
477	Yvonne Collins	KY
478	Chris McCann	LA
479	John Albarado	LA
480	Jorea McNamee	LA
481	Keith Wilson	LA
482	Laura Boutin	LA
483	Lucas Austin	LA
484	Lucille Williams	LA
485	Major Willis	LA
486	Monika Sandlin	LA
487	Seneca Hill	LA
488	Timothy Mcmanus	LA
489	Avery Pellegrino	MA
490	Bruce Beston	MA
491	Campbell Pang	MA
492	Donna Reis	MA
493	Gloria Fonseca	MA
494	Kimberly McCarthy	MA
495	Pamela Marcus	MA
496	Raegan Van Rumund	MA
497	Rob McDevitt	MA
498	Steven Gousie	MA
499	Traci Jarvis	MA
500	Andrew Kodsi	MD
501	Angela Graham	MD
502	April Miller	MD
503	Janet Saddler	MD
504	Stacy Moran	MD
505	Isaac Landreth	ME
506	Michael Szalanski	ME
507	Shawnee McCullough	ME

508	Tammy Coolidge	ME
509	Adam Lendzian	MI
510	Amanda Washburn	MI
511	Candice Smith	MI
512	Colleen Bury	MI
513	Daniel Richter	MI
514	Danniell Currie-Wesley	MI
515	Edward Ufford	MI
516	Gloria Cartier	MI
517	James Hoover	MI
518	Jamie Smith	MI
519	John Sasser	MI
520	Joyce Lucy	MI
521	Julie Hritz	MI
522	Kevin Roberts	MI
523	Mary Nolta	MI
524	Matthew Washburn	MI
525	Melissa Ryal	MI
526	Michael Taylor	MI
527	Nicole Gauthier	MI
528	Paula Dragt	MI
529	Ryan Downey	MI
530	Shantik Harris	MI
531	Sharon Katz	MI
532	Sheilisa Williams	MI
533	Summer Murray	MI
534	Susan Nortley	MI
535	Tami Johnson	MI
536	Terri Smith	MI
537	Virginia Myhren	MI
538	Ben Hansen	MN
539	Cassie Gabel	MN
540	Danielle Thies	MN
541	Georgene Vesey	MN
542	Korey Dismuke	MN
543	Lisa Petersen	MN
544	Mary Rasmussen	MN
545	Samantha Walters	MN
546	Alex Flathers	MO
547	Andrew Lawhorn	MO
548	April Williams	MO
549	Beth Augustson	MO
550	Crystal Barnett	MO
551	Daniel White	MO

552	Donald Zickau	MO
553	Greg Grimmer	MO
554	Holly Johnson	MO
555	James Payne	MO
556	Jared Burke	MO
557	Jennifer Deckard	MO
558	Kara Janssen	MO
559	Krystal Smith	MO
560	Matt Balk	MO
561	Monica Williams	MO
562	Natalie Sisk	MO
563	Niokia Miller	MO
564	Patricia Kasten	MO
565	Rory Calhoun	MO
566	Sandra Cain	MO
567	Serenity Smith	MO
568	Terry Banes	MO
569	Tina Maldonado	MO
570	Tonya Bearden	MO
571	Tracie Still	MO
572	Veronica Holloway	MO
573	Beatrice Moore	MS
574	Curtis Martin	MS
575	Donna Smith	MS
576	Dwight Holliday	MS
577	Jesse Edward battle	MS
578	Joyce Thompson	MS
579	Kishara Mixon	MS
580	Lacharles Jefferson	MS
581	Laquanda Johnson	MS
582	Lauren Farmer	MS
583	Melissa Campbell	MS
584	Patricia Baggett	MS
585	Stephany Shelley	MS
586	Tempie Monroe	MS
587	Thomas McDermitt	MS
588	Tonya Burks	MS
589	Trarrick Oliver	MS
590	Vernessia Harbin	MS
591	William Dean	MS
592	Carrie Ruschman	MT
593	Gail Meyer	MT
594	Michael Thomas	MT
595	Robin Crowe	MT

596	Anna Upton	NC
597	Betty Ellerbee	NC
598	Catherine Michelle Speagle	NC
599	Cynthia Rodriguez	NC
600	Deida Gadsden	NC
601	Fred Carraway	NC
602	Gail Martinez	NC
603	Heidi Benz	NC
604	Jaclyn Maldonado	NC
605	Jada Campbell	NC
606	Jenna Kasputis	NC
607	Jennifer Vanpelt	NC
608	Katrina Bethea	NC
609	Kendra Short	NC
610	Kimberly Kirby	NC
611	Margaret Knight	NC
612	Marilyn Perez	NC
613	Misty Lewis	NC
614	Nellie Givens	NC
615	Noah Richard	NC
616	Patricia Yeager	NC
617	Revonda Corriher	NC
618	Sheryl Rodgers	NC
619	Shonda Culler	NC
620	Tiana Roman	NC
621	Tony Raiford	NC
622	Traci Royster	NC
623	Vanessa Kennedy	NC
624	Vanessa Parris	NC
625	William Holloway	NC
626	Yvonne Funderburke	NC
627	Kathy Hiller	ND
628	Mandy Tran	NE
629	Anthony Garcia	NH
630	Atiyah Guyton	NJ
631	Colleen Angeloni	NJ
632	Daniel Moore	NJ
633	Danielle Hoff	NJ
634	Eleanor Blanchet-Paynes	NJ
635	Frances Marcella	NJ
636	Gay Murray-Lindsey	NJ
637	Kayla Davis	NJ
638	Marabelle Yuzary	NJ
639	Rachel Navarro	NJ

640	Robin Vautrin	NJ
641	Thomas Sparacios	NJ
642	Tishima Kennedy	NJ
643	William Rosenkrantz	NJ
644	Amanda Romero	NM
645	Christine Sisneros	NM
646	Janel Matsu	NM
647	Justin Heath	NM
648	Breanna Magno	NV
649	Chanda Wieland	NV
650	Christina Lloyd	NV
651	Christina mccooy	NV
652	Erica White	NV
653	Gwen Goetting	NV
654	John Cox	NV
655	Kimberly Riddle	NV
656	Terry Bass	NV
657	William Demick	NV
658	Alexander Aghravi	NY
659	Alli Vargas	NY
660	Angela Murphy	NY
661	Brian Oliver	NY
662	Charlene Wigger	NY
663	Christine Xie	NY
664	Danielle Kiger	NY
665	Derek King	NY
666	Gracie Zheng	NY
667	Jalisa83 Green	NY
668	James Clark	NY
669	Janett Blackmer	NY
670	Jessie Seifert	NY
671	John King	NY
672	Joyce Sulton	NY
673	Kaitlin Zajac	NY
674	Kaya Myles	NY
675	Keith Loh	NY
676	Khoji Yusupov	NY
677	Kyle Evans	NY
678	Mark Kashani	NY
679	Mergime Berisha	NY
680	Nicole Huang	NY
681	Nicole Rosano	NY
682	Randi Long	NY
683	Samantha Olmedo	NY

684	Sandy Lei	NY
685	Sarah Lewis	NY
686	Sidrat Habib	NY
687	Teresa Lee	NY
688	Trakiia Pierce	NY
689	Victor Chen	NY
690	Victor Rivera	NY
691	Andrea Halley	OH
692	Ashley Downey	OH
693	Brandon Reed Sr.	OH
694	Brian Starnier	OH
695	Brina Hollis	OH
696	Charles Jones	OH
697	Chelsey Sarante	OH
698	Diana Mastrodonato	OH
699	Donna Payne	OH
700	Elizabeth Cole	OH
701	Erin Stover	OH
702	Evelyn Thirion	OH
703	Gwen Hatcher	OH
704	James Brace	OH
705	Jeremy Davis	OH
706	Karen Hurst	OH
707	Kathryn Klinkert-Veinot	OH
708	Lewis Nespor	OH
709	Lily Karolick	OH
710	Linda Hill	OH
711	Luther Vance	OH
712	Marshirle Neal	OH
713	Olivia Vallandingham	OH
714	Rebecca Crabtree	OH
715	Shea Willis	OH
716	Tracy Williams	OH
717	Velika McComas	OH
718	Ashley Graffam	OK
719	Candi Weldon	OK
720	Daisy Green	OK
721	Denise Thomas	OK
722	Dustin Finley	OK
723	Freida Satepeahtaw	OK
724	Jack Boyd	OK
725	Melissa Blasio	OK
726	Montez Hunter	OK
727	Patricia Luoma	OK

728	Shanna Collins	OK
729	Tony Parnosky	OK
730	Briana Herloss	OR
731	Cheryl Dasilva	OR
732	Christine Tidwell	OR
733	Dee Salazar Kaushal	OR
734	Erica Taylor	OR
735	Frank Kile	OR
736	Genni Walker	OR
737	Kaelyn Taylor	OR
738	Kathryn Russell	OR
739	Kimberly Good	OR
740	Laurel Keno	OR
741	Melissa Knechtel	OR
742	Michelle Churchill	OR
743	Nastaja Barnes	OR
744	Patricia Morrison	OR
745	Rae McLaughlin	OR
746	Robert Garrett	OR
747	Sharon Morris	OR
748	Alicia Peterson	PA
749	Amanda Drey	PA
750	Angela Gray	PA
751	Ann Ehlinger	PA
752	Barbara Felicetty	PA
753	Carole German	PA
754	Chardae Powell	PA
755	Chelsea Goss	PA
756	Cheryl Gilbert	PA
757	Chris Kershaw	PA
758	Christina Lopez	PA
759	Crystal Sponenberg	PA
760	Dakotah Jackson	PA
761	Diane Francis	PA
762	Ellen Reed	PA
763	Erica Smith	PA
764	Ericka Morris	PA
765	Evan Durkin	PA
766	Felicia Riegner	PA
767	Gerald Leapline	PA
768	Iciss Thompson	PA
769	Jennifer Carey	PA
770	Jessica Lockett	PA
771	John Davis	PA

772	Kaitlyn Seibert	PA
773	Kathy Short	PA
774	Kim Ackiss-Butler	PA
775	Kimberly Dooley	PA
776	Kimberly Parker	PA
777	Kristen Fitzgerald	PA
778	Lorraine Smith	PA
779	Maelee Shaffer	PA
780	Michael Price	PA
781	Monika Ewing	PA
782	Noura Attalah	PA
783	Paul Gray	PA
784	Prudencio Aviles	PA
785	Ramonia McCall	PA
786	Richard Martinelli	PA
787	Ryan Walukonis	PA
788	Sarah Macedo	PA
789	Shambreia Pritchett	PA
790	Sharon Bush	PA
791	Tonya Chess	PA
792	Bonnie Felingiere	RI
793	Craig Corey	RI
794	Lori Lovelace	RI
795	Patricia Cullen	RI
796	Africa Alston	SC
797	Alicia Washington	SC
798	Angela Goodjion	SC
799	Angie Grayson	SC
800	April Byrd	SC
801	Brieon Shaw	SC
802	Christy Reynolds	SC
803	Connie Worthey	SC
804	Elizabeth Byrd	SC
805	George Gonzalez	SC
806	Jason Powers	SC
807	Jennifer Worthey	SC
808	John Wilson	SC
809	Kathleen Downey	SC
810	Kelly Hallman	SC
811	Lavanda Lewis	SC
812	Mary Daneliak	SC
813	Mary Hunter	SC
814	Melissa Bennett	SC
815	Nancy Payne	SC

816	Paul Street	SC
817	Sharon Rose	SC
818	Tamara King	SC
819	Tony Payne	SC
820	Violet Commander	SC
821	Wilmecca Neasey	SC
822	Adam Young	TN
823	Alison Inman	TN
824	Carl Richardson	TN
825	Christina Levalley	TN
826	Deoslarae Johnson	TN
827	Howard Lowe	TN
828	Hunter Barrett	TN
829	Jeffrey Ward	TN
830	Jennifer Clark	TN
831	Kathleen Ramsey	TN
832	Kathy Pierce	TN
833	Krystine Higgins	TN
834	Landon Adams	TN
835	Laquisha Wells	TN
836	Lisa Osburn	TN
837	Lynn Kimball	TN
838	Marti Risco	TN
839	Maya Johnson	TN
840	Melinda Puckett	TN
841	Pamela Smith	TN
842	Toya Guy	TN
843	Venita Brown	TN
844	Walter Sloas	TN
845	Wende Thompson	TN
846	Anna Ramos	TX
847	Anna Rawls	TX
848	Barry McDonald	TX
849	Billy Guidry	TX
850	Brian Brooks	TX
851	Brianna Rawls	TX
852	Bryan Bustillos	TX
853	Candace Kirk	TX
854	Chad Dunn	TX
855	Christi Winters	TX
856	Christian Perez	TX
857	Clint Ford	TX
858	Darla Ferrar	TX
859	Davian Mondragon	TX

860	David Elmore	TX
861	Diane Gregory	TX
862	Erik Egar	TX
863	Hattie Brown	TX
864	Hector Lopez	TX
865	Houston Ellis	TX
866	Hudson Ramirez	TX
867	Ira Gardner	TX
868	Janice Flores	TX
869	Jeanetta Hairston	TX
870	Joseph Sanchez	TX
871	Kaitlyn Hare	TX
872	Lillian Rodgers	TX
873	Linda Cheatham	TX
874	Marika Frazier	TX
875	Melinda Kenney	TX
876	Melissa Pace	TX
877	Melissa Sorenson	TX
878	Michele McCoy	TX
879	Namanh Nguyen	TX
880	Pamela Bennett Staten	TX
881	Pamela Kennedy	TX
882	Paula Perine	TX
883	Ronnie Burgin	TX
884	Shellie Adetona	TX
885	Skandra Craniotis	TX
886	Stephanie Plane	TX
887	Susan Battaglia	TX
888	Suzette Rose	TX
889	Tamica Roberts	TX
890	Tammy Wallace	TX
891	Tim Green	TX
892	Tony Hawkins	TX
893	Uruba Ali	TX
894	Valerie Heard	TX
895	Victoria Moran	TX
896	Vipul Patel	TX
897	William Scott	TX
898	Zaina Siddiqi	TX
899	Brooke Turano	UT
900	Gaby Burian	UT
901	Jacoby Marston	UT
902	Kylie Jackson	UT
903	Shannon Terry	UT

904	Tiffany Hardy	UT
905	Tralee Wardle	UT
906	Ashlie Jolin	VA
907	Desiree Sweeney	VA
908	Devin Moyer	VA
909	Fontaine Pate	VA
910	Fredricka Kinsey	VA
911	Greg Shulson	VA
912	Hazel Villatoro	VA
913	Kathy Crosby	VA
914	Kenneth Mitchell	VA
915	Laverne Mullins	VA
916	Mary Barrett	VA
917	Mike Thomas	VA
918	Nancy Cortes	VA
919	Rachel Elliott	VA
920	Rebecca Gorsuch	VA
921	Sherry Williams	VA
922	Thomas Hurlock	VA
923	Thomas Woodfin	VA
924	Trisha Rosiles	VA
925	Brooke Fontaine	VT
926	Amanda Marquette	WA
927	Amber Fleischmann	WA
928	Cameron Boman	WA
929	Carol Haas	WA
930	Christine Pearson	WA
931	Cillia Fabela	WA
932	Codie Frisque	WA
933	Corinne Luebke	WA
934	Deborah Viray	WA
935	Derek Kinney	WA
936	Elizabeth Jacobson	WA
937	Geo Kim	WA
938	Jessica Hay	WA
939	Jessica Sonnenfeld	WA
940	Laura Hill	WA
941	Mitchell Stephens	WA
942	Sheila Masonho!der	WA
943	Shuntea George	WA
944	Terri Eckersley	WA
945	Arsha Velez	WI
946	Brandon Bearheart	WI
947	Christine Garcia	WI

948	Donita Damman	WI
949	Geoffrey Adams	WI
950	Iva Wolf	WI
951	Jeff Balthazore	WI
952	Jennifer Berndt	WI
953	Jesse Erickson	WI
954	Judith Leitermann	WI
955	Kristin Turville	WI
956	Lucille Falkner	WI
957	Martin Tyler	WI
958	Mirna Santiago	WI
959	Octavia Parker	WI
960	Shonta Hopkins	WI
961	Susan Williams	WI
962	Zahir Salgado	WI
963	Ashley Sprouse	WV
964	Danny Posey II	WV
965	David Martin	WV
966	Dean Smith	WV
967	Ethel Rucker	WV
968	Evelyn Wallo	WV
969	Kimberly Spencer	WV
970	Michelle Lake	WV
971	Sara Cook	WV
972	Tina Coleman	WV
973	Alicia Franklin	WY
974	Jack Eddy	WY